

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:15-CV-381-FL

This matter is before the court on its own initiative. This case recently was the subject of a text order dated September 30, 2015, wherein the court noted the termination of the underlying bankruptcy proceeding, see In re Alvarado, No. 5:15-BK-1337-SWH, text order (Bankr. E.D.N.C. Aug. 18, 2015), and directed plaintiff to show cause as to why this appeal should be maintained within 21 days. In addition, the court provided plaintiff with notice that failure to show cause would result in a dismissal with prejudice for failure to prosecute, under Federal Rule of Civil Procedure 41(b). The deadline imposed by the court's prior text order expired October 26, 2015, with no response having been received.

Based on the foregoing, this action is DISMISSED for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b). The clerk is DIRECTED to close this case.

SO ORDERED, this the 27th day of October, 2015.

Louis W. Elanagan

LOUISE W. FLANAGAN
United States District Judge